

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

KATRINA M. HACKNEY,	§	
Plaintiff,	§	
	§	
	§	
vs.	§	CIVIL ACTION NO. _____
	§	Jury Demanded
TMIRS ENTERPRISES, LTD., D/B/A	§	
TAX MASTERS,	§	
Defendant.	§	

**PLAINTIFF, KATRINA M. HACKNEY'S, ORIGINAL COMPLAINT
AND JURY DEMAND**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES Katrina M. Hackney, hereinafter called Plaintiff, complaining of and about TMIRS Enterprises, Ltd., d/b/a Tax Masters, hereinafter called Defendant, and for cause of action shows unto the Court the following:

PARTIES AND SERVICE

1. Plaintiff Katrina M. Hackney, is a citizen of the United States and the State of Texas and resides in Harris County, Texas.
2. Defendant TMIRS Enterprises, Ltd., d/b/a Tax Masters may be served by serving Patrick Cox, its officer at 900 Town and Country Lane, Suite 400, Houston, Texas 77024.

JURISDICTION

3. The action arises under 42 U.S.C. Section 1983 et. seq. as hereinafter more fully appears.
4. This Court has supplemental jurisdiction over state law claims discussed below under 28 U.S.C. Section 1337(a) because they arise out of the same case or controversy.

NATURE OF ACTION

5. This is an action under Title 42 U.S.C. Section 2000e et. seq. and 42 U.S.C. Section 1981 as amended by the Civil Rights Act of 1991 to correct unlawful employment practices on the basis of race and sex.

CONDITIONS PRECEDENT

6. All conditions precedent to jurisdiction have occurred or been complied with: a charge of discrimination was filed with the Equal Employment Opportunity Commission within three-hundred days of the acts complained of herein and Plaintiff's Complaint is filed within ninety days of Plaintiff's receipt of the Equal Employment Opportunity Commission's issuance of a right to sue letter.

FACTS

7. Plaintiff endured systematic discrimination within her department based on race and gender. Plaintiff's employment was ultimately terminated.

RACE DISCRIMINATION

8. Defendant, TMIRS Enterprises, Ltd., d/b/a Tax Masters, intentionally engaged in unlawful employment practices involving Plaintiff because of her race.

9. Defendant, TMIRS Enterprises, Ltd., d/b/a Tax Masters, also violated Plaintiff's rights under 42 U.S.C. Section 1981.

SEX DISCRIMINATION

10. Defendant, TMIRS Enterprises, Ltd., d/b/a Tax Masters, intentionally engaged in unlawful employment practices involving Plaintiff because she is a female.

DISCRIMINATION

11. Defendant, TMIRS Enterprises, Ltd., d/b/a Tax Masters, discriminated against Plaintiff in connection with the compensation, terms, conditions and privileges of employment or limited, segregated or classified Plaintiff in a manner that would deprive or tend to deprive her of any employment opportunity or adversely affect her status because of Plaintiff's race and sex in violation of 42 U.S.C. Section 2000e (2)(a) and 42 U.S.C. Section 1981.

12. Defendant, TMIRS Enterprises, Ltd., d/b/a Tax Masters, classified Plaintiff in a manner that deprived her of an equal employment opportunity that was provided to employees similarly situated in violation of 42 U.S.C. Section 2000e (2)(a) and 42 U.S.C. Section 1981.

13. Plaintiff alleges that Defendant, TMIRS Enterprises, Ltd., d/b/a Tax Masters, discriminated against Plaintiff on the basis of race and sex with malice or with reckless indifference to the state-protected rights of Plaintiff.

RETALIATION BY TMIRS ENTERPRISES, LTD., D/B/A TAX MASTERS

14. Plaintiff alleges that Defendant TMIRS Enterprises, Ltd., d/b/a Tax Masters instituted a campaign of retaliation which included: an unequal and disproportionate work-load allocation. This retaliation was and is due to Plaintiff exercising her rights by opposing a discriminatory practice. Plaintiff suffered damages for which Plaintiff herein sues.

DAMAGES

15. Plaintiff sustained the following damages as a result of the actions and/or omissions of Defendant described hereinabove:

- a. Complete loss of income;
- b. All reasonable and necessary Attorney's fees incurred by or on behalf of Plaintiff;

- c. Back pay from the date that Plaintiff was denied equal pay for equal work and interest on the back pay in an amount to compensate Plaintiff as the Court deems equitable and just;
- d. All reasonable and necessary costs incurred in pursuit of this suit;
- e. Emotional pain;
- f. Expert fees as the Court deems appropriate;
- g. Front pay in an amount the Court deems equitable and just to make Plaintiff whole;
- h. Inconvenience;
- i. Prejudgment interest;
- j. Mental anguish in the past;
- k. Loss of earnings in the past; and
- l. Loss of benefits.

EXEMPLARY DAMAGES

16. Plaintiff would further show that the acts and omissions of Defendant complained of herein were committed with malice or reckless indifference to the protected rights of the Plaintiff. In order to punish said Defendant for engaging in unlawful business practices and to deter such actions and/or omissions in the future, Plaintiff also seeks recovery from Defendant for exemplary damages.

SPECIFIC RELIEF

17. Plaintiff seeks the following specific relief which arises out of the actions and/or omissions of Defendant described hereinabove:

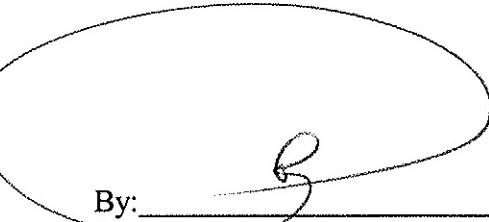
- a. Rehire Plaintiff;

- b. Reinstate Plaintiff to the position and pay grade which Plaintiff held but for the unlawful employment actions of Defendant; and
- c. Monetary damages.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff, Katrina M. Hackney, respectfully prays that the Defendant be cited to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for the Plaintiff against Defendant for damages in an amount within the jurisdictional limits of the Court; exemplary damages, together with interest as allowed by law; costs of court; and such other and further relief to which the Plaintiff may be entitled at law or in equity.

Respectfully submitted,

By: 
George L. Powell
Attorney-in-Charge
Texas Bar No. 24034632
Southern District Bar No: 32035
801 Congress, Suite 350
Houston, TX 77002
Tel. (713) 225-5151
Fax. (713) 224-3111
Attorney for Plaintiff
Katrina M. Hackney

PLAINTIFF HEREBY DEMANDS TRIAL BY JURY